IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

TRUSTEES of the IRON TRI-STATE WELFARE P)	
	Plaintiffs,	,)	Case No. 15 C 4389
)	Judge Shah
v .)	•
H-H IRONWORKS LLC		j	
	Defendant.)	

Motion for Entry of Judgment

Plaintiffs, by its attorney, Daniel P. McAnally, move this Honorable Court for an entry of judgment and in support Plaintiffs state:

- 1. This is and ERISA trust fund case seeking delinquent contributions, interest, liquidated damages and attorney fees.
- 2. On July 16, 2015 this Court entered an Order of Default against the Defendant for its failure to answer to the complaint. (Exhibit A)
- 3. The Order of Default directed the Defendant, among other things, to submit reports and contributions. The Court retained jurisdiction to enter a final judgment for the contributions shown to be owed by way of an estimate or otherwise, including interest, liquidated damages and attorney fees pursuant to the trust agreements and ERISA Section 1132(g)(2). (Exhibit A)
- 4. The Defendant submitted the monthly contribution reports but failed to submit the ERISA contributions shown to be owed in the amount of \$31,595.56 for the months of January 2015 through September 2015. (Exhibit B, affidavit of Debbie Trzeciak, Contribution Accounting Manager)

5. The Defendant owes liquidated damages on the unpaid ERISA contributions in the amount of \$7,012.09 for the period October 2014 through September 2015 pursuant to the Collective Bargaining Agreements, the Trust Agreements and 29 U.S.C. \$1132(g)(2)(C)(ii). (Exhibit B)

6. The Defendant owes the sum of \$7,822.75 for necessary and reasonable attorney fees and costs of \$400.00 which are collectible under the terms of the Collective Bargaining Agreement, the Trust Agreements and 29 U.S.C. §1132(g)(2)(D). (Exhibit C, affidavit of Daniel P. McAnally)

WHEREFORE, Plaintiffs pray that their motion for entry of judgment be granted in the amount of \$46,830.40.

Respectively submitted,

<u>s/ DANIEL P. McANALLY</u> Attorney for Plaintiffs

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